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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,976	09/18/2001	Surendra N. Naidoo	020775.000010	8803

30652 7590 12/15/2005

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EXAMINER
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VO, TUNG T

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/954,976	NAIDOO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tung Vo	2613	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-24 and 26-31 is/are pending in the application.
- 4a) Of the above claim(s) 2,25 and 32-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-24 and 26-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1 and 20 filed 10/19/2005 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Lemons US 6,504,479).

**Note** the specification of the present invention describes that the security gateway (115 of fig. 1) may be configured to detect if its network connectivity is lost, and send notification to the security system server (131 of fig. 1) via the secondary backup. If network connectivity is lost while the system is disarmed, but the system is armed before network connectivity is restored, notification is again via the secondary alarm notification network, page 5, [0049] of the published application serial number 09/954,976.

Re claim 1, Lemons discloses a security system (10 of fig. 1) comprising:

a security gateway (12, 14 of fig. 1) located at a premises (figs. 5-8), wherein the security gateway (12 of fig. 1) is operable to detect an alarm condition (18 of fig. 1; col. 6, lines 42-51) and to record video (20 of figs. 1 and 2) of at least a portion of the premises relating to the alarm condition, said video hereafter referred to as an alarm video (col. 7, lines 25-50); and

a security system server (38 of fig. 1) operatively coupled to the security gateway through a first network (36 of fig. 1), wherein the security gateway is configured to notify the security system server of the alarm condition and to transfer the alarm video to the security system server in substantially real time through the first network (col. 7, lines 25-28);

wherein the security system server (12, 14 of fig. 1) is further operatively coupled to the security gateway through a second network (50 of fig. 1);

wherein the security gateway is configured to notify the security system server of the alarm through the second network (col. 4, line 66-col. 5, line 30), and

wherein the security gateway (12 of fig. 1) is further configured to notify the security system server (38 of fig. 1) of the alarm condition through the first network (26 of fig. 1) substantially simultaneously with notify the security system server (38 of fig. 1) of the alarm condition through the second network (50 of fig. 1).

Re claims 3-12, Lemons further discloses wherein the first network is an IP network (a network in which transmission of information is done using IP protocol; e.g. Internet network), an Ethernet-based network (LAN), the Internet, a frame relay network (a frame relay is a telecommunication service designed for cost-efficient data transmission for intermittent traffic between local area networks (LANs) and between end-points in a wide area network (WAN); a

Art Unit: 2613

DSL network; a high-speed fixed wireless network (36 of fig. 1; see col. 5, lines 18-23); Lemons further suggests any communications channel available (36 and 50 of fig. 1) such as a hybrid-fiber coaxial network; a fiber-optic network, an ATM network, and a high-speed mobile communications network, that connects between the gateway (12 of fig. 1) is used in the security system.

Re claims 13-15, Lemons further discloses wherein the second network comprises a public switched telephone network and a fixed wireless network (col. 5, lines 25-30).

Re claims 16 and 19, Lemons further discloses wherein the security gateway is further operable to record audio from at least a portion of the premises relating to the alarm condition, said audio referred to hereinafter as alarm audio, alarm video, and wherein the security gateway is further configured to transmit said alarm audio and video to the security system server through the second network in substantially real time (102, 108, 110, 112, 114, 116, and 118 of fig. 2; alarm 144 and 160 of fig. 3).

Re claims 17 and 18, Lemons further discloses wherein the security system server is configured to provide notification of the alarm condition to a public safety agency (42, 44, 46, and 48 of fig. 1).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20-24 and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons US 6,504,479) in view of Kung et al. (US 6,826,173).

Re claim 20, Lemons teaches a security system comprising (fig. 1) a security gateway (12 of fig. 1) located at a premises, wherein the security gateway is operable to detect an alarm condition and to record video of at least a portion of the premises relating to the alarm condition to form an alarm video (16, 18, 20, 22 of fig. 1), wherein the security gateway further comprises a network interface (34 of fig. 1), and wherein the network interface is configured to connect the security gateway (14 of fig. 1) ; a security system server (38 of fig. 1) configured to connect to the interface through a second network (36 of fig. 1), wherein the security gateway is configured to notify the security system server of the alarm condition and to transfer the alarm Video to the security system server in substantially real time (col. 7, lines25-50); wherein the security gateway (12, 14 of fig. 1) is operatively coupled to the security system server (38 of fig. 1) through a third network (50 of fig. 1), the security gateway being further configured to notify the security system server of the alarm condition through the third network (col. 4, line 66 through col. 5, lines 14); wherein the security gateway (12 of fig. 1) is configured to notify the security system server (38 of fig. 1) of the alarm condition through the second network (36 of fig. 1) substantially simultaneously with notifying the security server of the alarm through the second network (36 of fig. 1).

It is noted Lemons does not particularly teach that the interface of the security gateway connects to a cable head-end through a first network by a hybrid-fiber-coaxial network as claimed.

However, Kung teaches a security gateway (102 of fig. 1) connects to a cable head-end (115 of fig. 1) through a first network (112 of fig. 1) by a hybrid-fiber-coaxial network (col.5, line 44 through col. 6, line 9).

Therefore, taking the teachings of Lemons and Kung as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the cable head-end (115 of fig. 1) through the first network (112 of fig. 1) by the hybrid-fiber-coaxial network (col.5, line 44 through col. 6, line 9) of Kung into the communications channel (34 and 36 of fig. 1) of Lemons for the same purpose of transmitting the alarm video and alarm condition from the security gateway to the security server. Doing so would provide improved performance and quicker response time for an individual user.

Re claims 21-24, 26-28, Lemons further teaches the first network is an IP network (a network in which transmission of information is done using IP protocol; e.g. Internet network), an Ethernet-based network (LAN), the Internet, a frame relay network (a frame relay is a telecommunication service designed for cost-efficient data transmission for intermittent traffic between local area networks (LANs) and between end-points in a wide area network (WAN); a DSL network; a high-speed fixed wireless network (36 of fig. 1; see col. 5, lines 18-23); Lemons further suggests any communications channel available (36 and 50 of fig. 1) such as a hybrid-fiber coaxial network; a fiber-optic network, an ATM network, and a high-speed mobile communications network, that connects between the gateway (12 of fig. 1) is used in the security system; and wherein the second network comprises a public switched telephone network and a fixed wireless network (col. 5, lines 25-30).

Re claim 29, Lemons further teaches wherein the security gateway is further operable to record audio from at least a portion of the premises relating to the alarm condition, said audio referred to hereinafter as alarm audio, alarm video, and wherein the security gateway is further configured to transmit said alarm audio and video to the security system server through the second network in substantially real time (102, 108, 110, 112, 114, 116, and 118 of fig. 2; alarm 144 and 160 of fig. 3).

Re claims 30 and 31, Lemons further discloses wherein the security system server is configured to provide notification of the alarm condition to a public safety agency (42, 44, 46, and 48 of fig. 1).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the previous Office Action

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2613

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Tung Vo', with a horizontal line extending to the left.

Tung Vo  
Primary Examiner  
Art Unit 2613